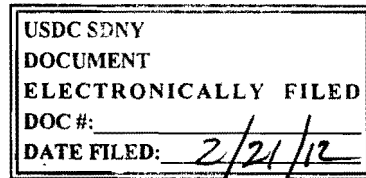


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
RICARDO HAMILTON,

Plaintiff,

-against-

MORROW (Shield # 11075)  
CORRECTION OFFICER,Defendant.  
-----X

10-CV-6505 (JPO)(FM)

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION

J. PAUL OETKEN, District Judge:

The instant action was referred to Magistrate Judge Frank Maas for general pretrial management. Plaintiff failed to appear at the initial pretrial conference held on December 15, 2011. Despite being cautioned that failure to comply might result in dismissal of his complaint, Plaintiff failed to comply with the subsequent scheduling order directing that he supply medical authorizations to Defendant by January 13, 2012. On January 30, 2012, Magistrate Judge Maas issued a Report and Recommendation recommending that the case be dismissed without prejudice for want of prosecution.

Magistrate Judge Maas informed the parties that they had fourteen days from service of the Report and Recommendation to file written objections pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). More than fourteen days have passed, and no objections have been filed. "In a case such as this one, where no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." *Malavolta v. Commissioner of Social Sec.*, 2009 WL 1468601, \*1 (S.D.N.Y. May 22, 2009) (citation omitted).


The Court has reviewed the Report and Recommendation and finds it to be free of any clear error on the face of the record. The Court thus adopts the Report and Recommendation in its entirety. Accordingly, this action is dismissed without prejudice.

The Court certifies, pursuant to 28 U.S.C. § 1951(a)(3), that any appeal from this Order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Dated: New York, New York  
February 21, 2012

  
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J. PAUL OETKEN  
United States District Judge